

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick Lewis Blott et al.
App. No : 10/575,875
Filed : February 1, 2007
For : WOUND CLEANSING APPARATUS
WITH HEAT
Examiner : Ilya Y. Treyger
Art Unit : 3761
Conf No. : 6850

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant makes the following comments in response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance mailed on May 3, 2010 (hereinafter, "Statement of Reasons for Allowance" or "Statement").

Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance to the extent that the Statement implies that the patentability of the claims rests solely on the recitation of a single feature or the recitation of two features, because it is the combination of features that makes at least some of the claims patentable. For example, Claim 1 recites an apparatus for irrigating, supplying thermal energy to, and cleansing wounds, comprising

a fluid flow path, comprising:

a conformable wound dressing, comprising a backing layer which is capable of forming a relatively fluid-tight seal or closure over a wound and a wound-facing face, at least one inlet pipe passing through and/or under the wound-facing face and directly or indirectly communicating with at least a fluid reservoir, and at least one outlet pipe passing through and/or under the wound-facing face, wherein a relatively fluid-tight seal or closure is formed over the wound at the point at which each inlet pipe and each outlet pipe passes through and/or under the wound-facing face;

a means for fluid cleansing in direct or indirect communication at least with the outlet pipe;
and

a fluid recirculation tube for directing cleansed fluid from the means for fluid cleansing back into the inlet pipe without passing through the reservoir so that at least nutrients, molecules, factors, physiologically active components and/or other components from the wound dressing that aid in proliferation or that are favorable to the wound healing process are returned to the wound;

a device for moving fluid through at least the wound dressing and the means for fluid cleansing;

a means for supplying thermal energy to at least the recirculated fluid provided to the wound so as to maintain the wound at a temperature between 34 and 40 degrees Celsius to optimize the metabolic activities of physiologically active components within the wound dressing and promote wound healing, and

a means for bleeding the fluid flow path to bleed fluid from the recirculation tube to relieve pressure within the fluid flow path.

Accordingly, Applicant submits that Claim 1 is allowable because, inter alia, the prior art does not teach, suggest, or render obvious the combination of features as recited by this claim. Likewise, the other claims of the present application are also allowable because they each recite a combination of features or steps that are not taught or suggested by the prior art.

Applicant also respectfully disagrees with the Examiner's Statement of Reasons for Allowance on the basis that not all the claims recite a "a recirculation tube directing fluid without passing through the reservoir" and "means for supplying thermal energy to the recirculated fluid."

For example, Claim 1 is directed to an apparatus for irrigating, supplying thermal energy to, and cleansing wounds, comprising, inter alia, a fluid recirculation tube for directing cleansed fluid from the means for fluid cleansing back into the inlet pipe without passing through the reservoir and a means for supplying thermal energy to at least the recirculated fluid.

Claim 14 is directed to a method of treating a wound, comprising, inter alia, regulating the fluid that flows out of the cover so that a portion of the fluid that flows out of the cover comprising physiologically active components is recirculated back to the cover without passing through the reservoir after being cleansed and a portion of the fluid that flows out of the cover is bled through a bleed mechanism and is provided to a waste reservoir to relieve pressure within the cover, and heating the fluid before the fluid enters the cover to maintain the wound at an

approximately normothermic range to optimize the metabolic activities of the physiologically active components within the cover and promote wound healing

Claim 19 is directed to an apparatus for irrigating, supplying thermal energy to, and cleansing wounds, comprising, inter alia, a recirculation tube in fluid communication with the fluid cleansing mechanism configured to recirculate fluid cleansed by the fluid cleansing mechanism back into the inlet pipe without passing through the fluid reservoir, and a heat source configured to heat at least the recirculated fluid before the fluid enters the backing layer, the heat source configured so that the fluid maintains the wound at an approximately normothermic range to optimize the metabolic activities of physiologically active components within the backing layer and promote wound healing.

Applicant also respectfully disagrees with the Examiner's Statement of Reasons for Allowance to the extent that the Statement indicates that only one or two prior art references fail to disclose or suggest the elements of the allowed claims and to the extent that the Statement characterizes the language or scope of the claims pending in this application. It is the language of the claims themselves, not the Examiner's characterization of such language, which determines the scope of the claims.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: Kregg A. Koch
Kregg A. Koch
Registration No. 63,035
Attorney of Record
Customer No. 20995
(310) 551-3450